

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Michael Fody, III

Bky No. 12-45009 (RJK)
Chapter 7

Paul M. Gayle-Smith

Plaintiff

Adv. Proc. No. 12-04298

v.

Michael Fody, III

Defendant

STIPULATION OF FACTS

This Stipulation of Facts is entered into by Paul M. Gayle-Smith and Michel Fody, III.

In accordance with the court's scheduling order dated January 4, 2013, the parties stipulate and agree that the following facts are true:

1. The defendant filed a petition for relief under Chapter 7 of the United States Bankruptcy Code on August 29, 2012. The case is now pending before this court.

2. The plaintiff is an unsecured creditor of the defendant.

3. The plaintiff is an attorney who represented the defendant in Merideth Hildreth v.

Michel Fody, III, Case Number D-721-DM-200600050, New Mexico District

Court.

4. The plaintiff was not paid for all of his services to the defendant.

DAVE BURNS LAW OFFICE, LLC

Dated: June 10, 2013

/e/ David M. Burns

David M. Burns #337869
475 Grain Exchange North
301 Fourth Avenue South
Minneapolis, MN 55415
(612) 677-8351

Attorney for Defendant

LAW OFFICES OF PAUL M. GAYLE-SMITH

Dated: June 10, 2012

/e/ Paul M. Gayle-Smith

Paul M. Gayle-Smith #_____
2961 Sundance Circle
Las Cruces, NM 88011
(575) 522-8300

Attorney for Plaintiff